

Christopher Ellis Bouzy
184 Main Street #3
Lodi, NJ 07644
(212) 810-0830
Debtor in Possession

BANKRUPTCY COURT
FILED
NEWARK, NJ

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JEANNE A. NAUGHTON

JAN
DEPUTY CLERK

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY --- NEWARK**

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In re :
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:
Christopher Ellis Bouzy :

**Chapter 7
Case No. 19-25881**

Christopher Ellis Bouzy :
:
Debtor :
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To:
Nicholas Fitzgerald
649 Newark Avenue
Jersey City, NJ 07306

Nicole Cemelli
782 5th Street
Secaucus, NJ 07094

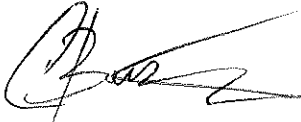
John Sywilok, Trustee
John W. Sywilok LLC
51 Main Street
Hackensack, NJ 07601

TO THE HONORABLE VINCENT F. PAPALIA,
UNITED STATES BANKRUPTCY JUDGE:

**RESPONSE TO ATTORNEY'S REPLY TO DEBITOR'S OPPOSITION TO MOVANT'S
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

1. The court clerk's office notified the debtor of the motion from relief of stay on 9/10/2019, and the court provided the debtor with a copy of the motion. At no time did the debtor receive the motion from the movant's attorney. The Motion from relief of stay wasn't served in accordance with the Bankruptcy Code. If the movant's attorney has a tracking number or proof of delivery, the movant's attorney should submit a copy to the court immediately.
2. The movant's attorney's certification of service shows the motion was mailed to a 07664 zip code, the debtor's zip code is 07644. See exhibit A.
3. The debtor's name is listed as the Honorable: Christopher Ellis Bouzy. See exhibit B.
4. Paragraph 3 of the movant's motion from relief of stay makes the claim the debtor paid \$1,100. However, the movant's certification in Case No. 19-22088-JKS listed the amount as \$1,350. See exhibit C.
5. The movant's attorney would like the court to believe the motion was properly served despite the glaring errors in the motion. It appears the movant's attorney assumed there wouldn't be a challenge to the motion and didn't bother to review the motion for procedural errors.
6. The motion from relief of stay contains fatal errors, and the movant's attorney has an absolute obligation to make sure that his motion papers are properly prepared and conform to the Bankruptcy Code as well as local rules and chamber's rules.

11. The Debtor respectfully request that the court deny the movant's motion and the relief requested therein or in the alternative adjourn the motion for sixty days while the movant refiles the motion in accordance with the Bankruptcy Code, and show cause for the willful violation of the automatic stay provisions of 11 U.S.C § 362(a) of the Bankruptcy Code.

A handwritten signature in black ink, appearing to read 'Christopher Ellis Bouzy', with a stylized, cursive script.

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184 Main Street #3
Lodi, NJ 07644
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Debtor in Possession

Exhibit A -- Movant's Attorney's Certification of Service

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
John Sywilok , Trustee John W. Sywilok LLC 51 Main Street Hackensack, NJ 07601	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>ECF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
Christopher Ellis Bouzy 184 Main Street, Apt 3 Lodi, NJ 07664	Debtor/Tenant	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)

Exhibit B -- Debitor Listed as the Judge

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant stay relief to Nicole Cemelli to allow that entity to resume New Jersey State court eviction or other proceeding against the debtor or if you do not want the Nicole Cemelli to be permitted to take action to collect post-petition rent due or if you do not want the Court to grant the movant a waiver of the provisions of Federal Rule of Bankruptcy Procedure 4001(a)(3) or if you want the Court to consider your views on the motion, then within seven (7) days prior to the scheduled hearing you or your attorney must:

File a written response in opposition to this motion explaining your position(s) and send it to:

Clerk
United States Bankruptcy Court
King Federal Building
50 Walnut Street -- 3rd Floor
Newark, NJ 07102

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to:

Nicholas Fitzgerald
Fitzgerald & Crouch, P.C.
649 Newark Avenue
Jersey City, NJ 07306-2303

IF YOU OPPOSE THE RELIEF REQUESTED HEREIN YOU SHOULD ATTEND THE HEARING SCHEDULED TO BE HELD BEFORE

Honorable: Christopher Ellis Bouzy

Date: 9/17/19

Time: 10:00 a.m.

Place:

United States Bankruptcy Court
King Federal Building
50 Walnut Street -- 3rd Floor, Courtroom 3-B
Newark, NJ 07102

Pursuant to D.N.J. LBR 9013-1(d) et seq., if you wish to contest the within motion, you must file with the Office of the Clerk of the Bankruptcy Court, responding papers stating with particularity the basis of your opposition to the within Motion. A copy of the proposed Order which is sought is enclosed with this

Exhibit C -- Movant's Certification in Support of Motion in Case No. 19-25881 / 19-22088-JKS

Nicholas Fitzgerald, Esq./NF6129
Fitzgerald & Crouch, P.C.
Attorney for Creditor -- Landlady -- Nicole Cemelli
649 Newark Avenue
Jersey City, NJ 07306-2303
(201) 533-1100

Attorneys for Creditor/Landlady -- I.D. # NF/6129

United States Bankruptcy Court
District of New Jersey -- Newark
-----X

In re:

Case No. 19-25881-VFP
Chapter 7

Christopher Ellis Bouzy

Debtor

Hon. Vincent F. Papalia
U.S.B.J.

Date Case Filed: August 16, 2019

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ATTORNEY'S CERTIFICATION IN SUPPORT OF MOTION FOR STAY RELIEF

I, Nicholas Fitzgerald, the above named debtor's counsel, hereby certifies as follows:

1. I make this certification in support of my client's, Nicole Cemelli's, motion for stay relief as to the premises located at 184 Main Street, Apt. 3 Lodi, New Jersey 07644.
2. In April of 2019 the debtor leased an apartment in the 2,200 square foot newly constructed building located at 184 Main Street, Apt. 3 Lodi, New Jersey 07644 from Nicole Cemelli. Both the debtor, Christopher Bouzy, and Jennifer Harrison, are on the lease. See Copy of Lease Exhibit A to Landlady's Certification.
3. The tenants paid only 50% (one-half) of the rent for May and June -- \$1,100 as opposed to \$2,200. Thereafter, and to

Nicholas Fitzgerald, Esq./NF6129
Fitzgerald & Crouch, P.C.
Attorney for Creditor -- Landlord -- Nicole Cemelli
649 Newark Avenue
Jersey City, NJ 07306-2303
(201) 533-1100

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY --- NEWARK

In re:

Case No. 19-22088-JKS
Chapter 7

Jennifer Harrison

Debtor

Hon. John K. Sherwood
U.S.B.J.

Date Case Filed: June 18, 2019

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I, Nicole Cemelli, being of full age and being the above named debtor's landlady, certify under penalty of perjury that:

1. I make this certification at the request of my counsel in support of my motion for relief from the stay imposed pursuant to 11 U.S.C. §362.

2. In April of 2019 I leased a 2,200 square foot apartment in the newly constructed building which I own located at 184 Main Street, Apt. 3 Lodi, New Jersey 07644 to the debtor, Jennifer Harrison and to Christopher Bouzy. See Copy of Lease Exhibit A.

3. The tenants paid only 50% (one-half) of the rent for May and for June -- \$1,350 as opposed to \$2,700 each month.

4. Because the tenants failed to pay the full rent I initiated an eviction action, pro se, against them under Landlord-Tenant case number LT-391719. See Exhibit B. An

Exhibit D -- Movant's Certificate of Occupancy

Certificate of Continued Occupancy

Borough of Lodi

Zoning Department

This Certificate is to serve as notice that based on a general inspection the premises described herein is approved for continued occupancy

Block: 90 Lot: 29

Property Address: 184 Main Street

of Adults: 2 # of Children: 1

Owner's Name: NICOLE CEMELLI

Owner's Address: 782 5TH STREET

Adult Tenant's Name(s): CHRISTOPHER BOUZY, JENNIFER HARRISON

SECAUCUS, NJ 07094

Owner's Phone #: 201-240-9360

Child Tenant's Name(s): NORA HARRISON

Property Type: Multi-Family

Floor/Unit of Rental: 2ND FL/APT #3

Bedrooms: 3 Bathrooms: 2 Kitchens: 1

Tenant's Phone #: 212-810-0830

Date Issued: 4/29/2019 Issued By: GP

Certificate #: 1115

Fee Paid: \$0.00

Nicholas Melfi - Zoning Officer